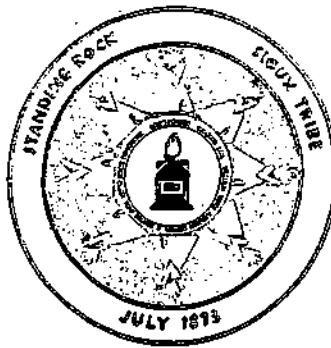




1012733

Standing Rock Sioux Tribe

Charles W. Murphy  
ChairmanTom Iron  
Vice ChairmanSharon Two Bears  
SecretaryVernz Bailey  
Long Soldier DistrictMilo Cadotte  
Hakpala DistrictFrank White Bull  
Kenel DistrictAvis Little Eagle  
Bear Soldier DistrictMilton Brown Otter  
Rock Creek DistrictDonel Takes The Gun  
Running Antelope DistrictRandal White Sr.  
Porcupine District

September 15, 2005

Mr. Randy Brown, TAP Mgr. (8P-TA)  
US Environmental Protection Office  
Region 8  
999 18<sup>th</sup> Street Suite 500  
Denver, Colorado 80202-2466

RE: Polychlorinated BiPhenyls (PCB's)  
Removal & Disposal Project.

Dear Mr. Brown:

The following is a brief summary of the past events that occurred that involved PCB's in light ballasts in Tribally-owned buildings on the Standing Rock Sioux Indian Reservation. In December, 2001, at the Tribe's request, the Region 8 EPA Emergency Response Unit was notified that a fire occurred involving a fluorescent light fixture containing PCB's in a high usage Tribal Office and the Tribe was requesting technical assistance in the evaluation, removal, disposal and clean-up. This emergency situation posed a immediate threat to the human health and environment and the Region 8 EPA office offered to provide the technical assistance to the Tribe to establish a schedule and take measures to expeditiously remove and properly dispose of the light fixture ballasts in all Tribal buildings, which contain PCB's. The clean-up costs for the December, 2001, PCB Removal and Disposal performed by the Region 8 Emergency Response Unit in the Tribal Administration Building totaled \$24,000.00.

In March, 2002, the Tribal EPA Dept. conducted another survey of the Tribal building to determine the amount of light fixtures ballasts containing PCB's. There was a total of 410 light fixtures and 632 ballasts.

Due to no other financial resources available, (Federal, State or Local), in June, 2002, the Tribal Environmental Specialist developed costs estimates and identified a consultant to perform the removal and disposal of the PCB's for \$55,000.00. This request was submitted to the Tribal Council for their review. The Tribe was in the process of reviewing their budgets and needed to

Page Two. PCB Report.

Determine where to find the funds. In September, 2002, the Tribal Council approved a line item in the amount of \$50,000.00 to be taken from the Tribal Indirect Cost Budget. This still needed approval from the Inspector General.

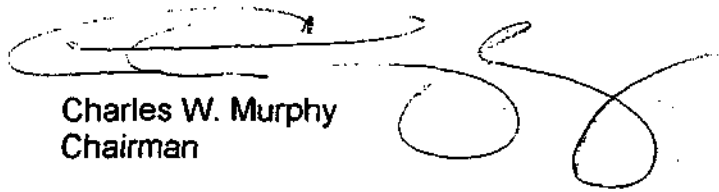
In April, 2003, The construction of a New Tribal Administrative Service Center Building was completed and the Tribal Programs that were located in these buildings, moved into this new building. A new building survey was conducted in May, 2004, and several of the buildings were closed down, due to no renters or other uses of the buildings.

In February, 2005, a Request For Proposals for the Removal And Proper Disposal of the Polychlorinated BiPhenyls was let. In April, 2005, a contractor was selected and the project was completed in August, 2005. There was a total of 873 pounds of PCB ballasts and 125 pounds of PCB material that was shipped to Onyx Environmental for recycling and incineration. (attached is a copy of the Disposal Manifest)

If you have any questions or need additional information, please do not hesitate to contact me at your convenience at 701854-7201 or contact Bob Buffalo Boy, Environmental Specialist, at 701-854-3823. Thank You.

Sincerely,

STANDING ROCK SIOUX TRIBE



Charles W. Murphy  
Chairman

Enclosures

Cc: file  
Kim Le, Region 8ENF-T, Denver



Fluorescent Tube and Ballast Recycling

2101 University Ave. W. Suite 206 St. Paul, MN 55114  
(Phone) 651-649-0079 (Fax) 651-649-1993

1-800-653-8429

August 30, 2005

Sitting Bull College  
C/o Edling Electric  
Hwy. 1806/24  
Fort Yates, ND

RE: Invoice 19920

To Whom It May Concern:

The 873 pounds of PCB Ballasts have been disassembled and the 125 pounds of PCB material is waiting shipment to Onyx Environmental for incineration. We will forward the certificate as soon as it is received. If you have any more questions or concerns please don't hesitate to contact me for further information.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Crist", is written over a horizontal line.

Steven Crist  
Operations Manager



Fluorescent Tube and Ballast Recycling

## CERTIFICATE OF CONVERSION

Sitting Bull College

C/o Edling Electric

Hwy 1806/24

Fort Yates, ND

Transportation provided by: Luminaire

**CERTIFICATE  
NUMBER  
19920L**

Straight $\leq 4'$	648
Straight $\geq 4'$	0
Compact HID	0
Shatter-Shield	0
Rapid Start	0
Circular	0
U-Bent	0
Incandescent	0
Broken	0
Other	0

For recycling your fluorescent lamps or high intensity discharge lamps with Luminaire Recyclers, which have been successfully recycled using a unique reverse manufacturing process where virtually 100% of the raw materials of standard fluorescents can be re-used in other products and/or services, you hereby receive the Luminaire Recyclers Certificate of Conversion. The lamps transported by Luminaire Recyclers have been successfully converted from a hazardous non-hazardous waste to commodities. These former fluorescent and high intensity discharge lamps now reside in glass, metal, powder and liquid mercury form. The Order Entry Number shown below should be used when inquiring about any issues with the proper handling and recycling of these lamps.

John D. Miller  
John D. Miller, President

07/28/2005  
Date Processed

Order Entry # 2820  
Manifest # \_\_\_\_\_

AUG-30-2005 (TUE) 13:18 LUMINAIRE RECYCLERS

(FAX) 601 649 1993

F.006/009

STANDING ROCK SIOUX TRIBE INTER-OFFICE  
ROUTING AND TRANSMITTAL

Program: POLYCHLORINATED BIPHENYLS (PCBs) REMOVAL  
Date: APRIL 25, 2005  
Phone: 701-854-3923 -DER/EPA DEPT.

When requesting the Chairman's signature, Program Directors/staff are REQUIRED to use the following routing sequence for review. This is for **CONSULTANT AGREEMENTS ONLY**. Please DO NOT ASK the Chairman to sign before the following departments initial for their review/comment(s):

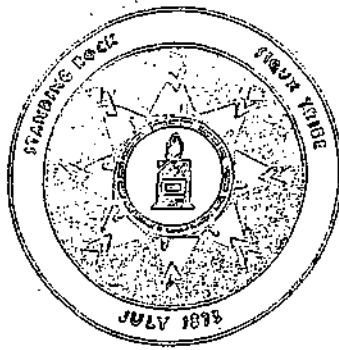
	Initials	Date
1. In-house Attorney:	<u>ED</u>	<u>4-26-05</u>
2. Contracting Office:	<u>MRB</u>	<u>4/26/05</u>
3. Contract Representative:	<u>LR</u>	<u>4/26/05</u>
4. Executive Director:	<u>CCM</u>	<u>4-26-05</u>
5. Chairman	<u>[Signature]</u>	<u>4-26-05</u>

COMMENTS:

Contracting needs a copy after all signatures. Thanks.

Note: This form does not constitute approval, concurrences, disposals or clearance for your records.

Charles W. Murphy  
Chairman



Tom Iron  
Vice Chairman

Sharon Two Bears  
Secretary

#### DISTRICTS

Carol White Eagle  
Cannonball District

Verna Bailey  
Long Soldier District

Mile Cadotte  
Wakpala District

Frank White Bull  
Kenel District

Avis Little Eagle  
Bear Soldier District

Millon Brown Otter  
Rock Creek District

Donel Takes The Gun  
Running Antelope District

Randal White Sr.  
Porcupine District

#### AT LARGE

Jesse Taken Alive

Mike Claymore

Archie Foot Bear

Matt Lopez

Aima J. Mentz

Jesse McLaughlin

### NOTICE TO PROCEED

DATE: April 25, 2005

TO: Edling Electric, Inc.  
1300 Basin Avenue  
Box 1451  
Bismarck, North Dakota 58502

RE: Removal and Proper Disposal of Ceiling Lamp Fixtures  
Containing Polychlorinated BiPhenyls (PCB's), located  
At four (4) Tribal Buildings at Fort Yates, North Dakota.

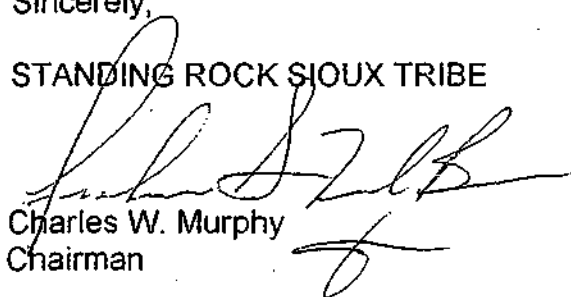
SUBJECT: Notice To Proceed.

You are hereby directed to proceed with the above project based on the conditions contained in the Request For Proposals. This contract will be from April 26, 2005, to August 30, 2005.

If you have any questions regarding this or need additional information, please contact Bob Buffalo Boy, Environmental Specialist, Tribal DER/EPA office, at 701-854-3823-x-222. Thank You.

Sincerely,

STANDING ROCK SIOUX TRIBE

  
Charles W. Murphy  
Chairman

CC: file  
Contracting (Debbie)

STANDING ROCK SIOUX TRIBE  
CONSULTANT AGREEMENT

Name/Firm: Edling Electric, Inc.

Address: 1300 Basin Avenue, Box 1451

City: Bismarck State: ND

Telephone: 701-255-2831-x-17

Social Security No.: \_\_\_\_\_

OR Employer Tax ID No.: \_\_\_\_\_

#####

Project Objectives:

Starting Dates:

Ending Dates:

1. Remove & Dispose of Lamp Fixtures  
containing Polychlorinated BiPhenyls  
located at four (4) Tribal Bldgs.  
at Fort Yates, North Dakota

April 26, 2005

August 30, 2005

2. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Final Products:

1. Removal & Proper Disposal of the  
above identified lamp fixtures.

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

#####

Cost Breakdown:

Personnel: \_\_\_\_\_

Professional: \_\_\_\_\_

Clerical: \_\_\_\_\_

Travel & Per Diem: \_\_\_\_\_

Printing: \_\_\_\_\_

Telephone: \_\_\_\_\_

Equipment: \_\_\_\_\_

Total: \$ \$32,750.00

IN CONSIDERATION OF THE UNDERTAKING HEREINAFTER SET FORTH THE PARTIES HEREBY AGREE THAT:

1. Consultant certifies that they have not been paid by any other source for this activity.
2. Consultant hereby agrees that at no time will he/she disclose or make any other use of information about the business methods, operations, costs, proposals, budgets, or any other information of a confidential nature pertaining to SRST.
3. This Agreement may be terminated at any time, with or without cause, by the Standing Rock Sioux Tribe. The consultant is entitled to reimbursement only for accepted materials if terminated for cause. Consultant is entitled to all incurred costs up to the notice of termination if without cause.
4. Upon termination of his/her services, the Consultant agrees to return all written and other materials, which are not matters of public record, furnished to him/her by SRST. All reports submitted by Consultant connected with his/her services to the project, shall become and remain the sole property of SRST.
5. Consultant shall submit a final report pertaining to the performance of services rendered to the SRST in conformance with the SRST Financial Policies/Procedures Manual. Consultant shall not be entitled to payment of consultant fees unless he/she has provided the aforementioned information with respect thereto, in form and substance acceptable to the SRST or its authorized agent.
6. This agreement constitutes the entire understanding between the parties and no amendment or modification hereof shall be effective unless reduced to writing and executed by both parties.
7. Consultant agrees that all materials furnished belong to and rights retained by the Standing Rock Sioux Tribe.
8. Tribe agrees that all information provided by the Consultant shall be considered propriety and confidential.
9. Contractor/consultant agrees to comply with contract work hours and safety standards act.
10. Consultant agree to comply with records retention requirements and access to records by the Standing Rock Sioux Tribe.
11. Consultant is subject to the Standing Rock Sioux Tribes Financial Policies and Procedures for travel, mileage and per diem costs.

IN WITNESS HEREOF, THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT AS OF THE DATE FIRST BELOW WRITTEN:

APPROVED:

Program Director

Date

Contracting Officer/SRST

Date

Signature of Tribal Chairman

Date

Program

DER/EPA

ACCEPTED:

Signature of Consultant

Date

Committee Member

Date

Committee Member

Date

Account No. 030-035-690

Scope of Work/Objectives: Removal and proper disposal of  
light fixtures containing polychlorinated biphenyls  
(PCBs) located at four (4) Tribal Buildings at  
Fort Yates, ND.



## Employee vs. Independent Contractor Tests

#	Test	Y/N
1	Is the worker required to comply with instructions about when, where and how they are to work?	N
2	Is training to perform the work provided to the worker by on-the-job training or seminars?	N
3	Are the worker's services vital enough for the continued operations of the business to require a certain amount of control?	N
4	Are the services to be rendered only by the worker?	N
5	Is the worker able to hire, supervise and pay assistants using the businesses assets and resources rather than their own?	N
6	Is there a continuing relationship between the worker and the person for whom the services are being performed?	N
7	Does the person for whom the work is to be performed set hours of work for the worker?	N
8	Is the worker required to devote substantially full time to the business for whom they are performing services?	N
9	Is the work being performed on the premises of the person paying the worker?	N
10	Is the worker provided with an order or sequence of tasks to be performed?	N
11	Is the worker required to submit oral or written reports?	N
12	Is the worker paid by the hour, week or month, rather than per job or task?	N
13	Is the worker reimbursed for travel or business expenses?	N
14	Is the worker provided the tools and supplies needed to complete the assigned tasks?	N
15	Is the worker exempt from investing in facilities or equipment?	N
16	Is the worker unable to realize an profit or a economic loss as a result of their services?	N
17	Is the worker not providing similar services to other unrelated businesses?	N
18	Is the worker prohibited from offering their services to the public except through the business?	N
19	Does the business have the right to terminate the worker without risk of breach of contract?	N
20	Does the worker have the right to terminate the relationship without risk of liability?	N

It is important to remember that these issues are fact-specific and often depend on the type of business or industry involved. In any one situation, there may be only a few deciding factors. The crucial issue involves the amount of control over the worker.

Responding YES to any of the above may indicate that the relationship is an employee-employer type of relationship rather than a contractor relationship. YES responses to 2 or more tests would most likely result in an IRS determination of an employee-employer relationship.

Form **W-9**  
(Rev. January 2002)  
Department of the Treasury  
Internal Revenue Service

# Request for Taxpayer Identification Number and Certification

Give form to the  
requester. Do not  
send to the IRS.

Print or type  
See specific instructions on page 2

Name  
**Edling Electric, Inc.**  
Business name, if different from above

Check appropriate box: ☐ Individual/ Sole proprietor ☒ Corporation ☐ Partnership ☐ Other

☐ Exempt from backup withholding

Address (number, street, and apt. or suite no.)

**PO Box 1451 1300 BAWN Avenue**

City, state, and ZIP code

**Bismarck ND 58502-1451**

List account number(s) here (optional)

Requester's name and address (optional)

## Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 2. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 2.

Note: If the account is in more than one name, see the chart on page 2 for guidelines on whose number to enter.

Social security number

\_\_\_\_ + \_\_\_\_ + \_\_\_\_ + \_\_\_\_ + \_\_\_\_ + \_\_\_\_

or

Employer identification number

**41406716956**

## Part I Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. person (including a U.S. resident alien).

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 2.)

Sign  
Here

Signature of  
U.S. person

**Robert Nelson**

Date **02-22-05**

## Purpose of Form

A person who is required to file an information return with the IRS must get your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to give your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee.

If you are a foreign person, use the appropriate Form W-8. See Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities.

Note: If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**What is backup withholding?** Persons making certain payments to you must under certain conditions withhold and pay to the IRS 30% of such payments after December 31, 2001 (25% after December 31, 2003). This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester, or
2. You do not certify your TIN when required (see the Part II instructions on page 2 for details), or
3. The IRS tells the requester that you furnished an incorrect TIN, or
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions on page 2 and the separate instructions for the Requester of Form W-9.

## Penalties

**Failure to furnish TIN.** If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**Civil penalty for false information with respect to withholding.** If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

**Criminal penalty for falsifying information.** Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

**Abuse of TINs.** If the requester discloses or uses TINs in violation of Federal law, the requester may be subject to civil and criminal penalties.

## Specific Instructions

**Name.** If you are an individual, you must generally enter the name shown on your social security card. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first and then circle the name of the person or entity whose number you enter in Part I of the form.

**Sole proprietor.** Enter your individual name as shown on your social security card on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

**Limited liability company (LLC).** If you are a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Treasury regulations section 301.7701-3, enter the owner's name on the "Name" line. Enter the LLC's name on the "Business name" line.

**Other entities.** Enter your business name as shown on required Federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name" line.

**Exempt from backup withholding.** If you are exempt, enter your name as described above, then check the "Exempt from backup withholding" box in the line following the business name, sign and date the form.

Individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends. For more information on exempt payees, see the instructions for the Requester of Form W-9.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-9.

**Notes:** If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

## Part I—Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box.

If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see How to get a TIN below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are an LLC that is disregarded as an entity separate from its owner (see *Limited liability company (LLC)* above), and are owned by an individual, enter your SSN (or "pro-LLC" EIN, if desired). If the owner of a disregarded LLC is a corporation, partnership, etc., enter the owner's EIN.

**Notes:** See the chart on this page for further clarification of name and TIN combinations. How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office. (See Form W-9.)

Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can get Forms W-9 and SS-4 from the IRS by calling 1-800-TAX-FORM (1-800-829-3676) or from the IRS Web site at [www.irs.gov](http://www.irs.gov).

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 90 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 90-day rule does not apply to other types of payments. You will be subject to backup withholding on all cash payments until you provide your TIN to the requester.

**Note:** Writing "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

**Caution:** A disregarded domestic entity that has a foreign owner must use the appropriate Form W-9.

## Part II—Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 3, and 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). Exempt recipients, see *Exempt from backup withholding* above. Signature requirements. Complete the certification as indicated in 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to athletes (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA or Archer MSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

## Privacy Act Notice

Section 6103 of the Internal Revenue Code requires you to give your correct TIN to persons who must file information returns with the IRS to report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA or Archer MSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to other states, and the District of Columbia to carry out their tax laws.

You must provide your TIN whether or not you are required to file a tax return. Payors must generally withhold 30% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payor. Certain penalties may also apply.

## What Name and Number To Give the Requester

For this type of account:	Give name and SSN or:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account <sup>1</sup>
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee
b. So-called trust account that is not a legal or valid trust under state law	The actual owner <sup>3</sup>
5. Sole proprietorship	The owner <sup>4</sup>
For this type of account:	Give name and EIN or:
6. Sole proprietorship	The owner <sup>4</sup>
7. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
8. Corporate	The corporation
9. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
10. Partnership	The partnership
11. A broker or registered nominee	The broker or nominee
12. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity

<sup>1</sup> List first and circle the name of the person whose number you furnish. If any one person on a joint account has an SSN, that person's number must be furnished.

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

<sup>3</sup> You must show your individual name, but you may also enter your business or "DBA" name. You may use either your SSN or EIN (if you have one).

<sup>4</sup> List first and circle the name of the legal trust, estate, or pension trust. Do not furnish the TIN of the beneficial representatives or trustees unless the legal entity itself is not designated in the account title.

**Notes:** If no name is circled when more than one name is listed, this number will be considered to be that of the first name listed.

REGULAR TRIBAL COUNCIL MEETING  
INTER-OFFICE FOLLOW-UP

MEETING DATE: April 7, 2005

PAGE: 7

MOTION #15 IS CONTINUED.

BAILEY, V.	YES	MCLAUGHLIN, J.	E.
BROWN OTTER, M.	N.V.	MENTZ, A.	YES
CADOTTE, M.	N.V.	TAKEN ALIVE, J.	YES
CLAYMORE, M.	E.	TAKES THE GUN, D.	YES
FOOL BEAR, A.	YES	TWO BEARS, S.	YES
IRON, T.	N.V.	WHITE, R.	YES
LITTLE EAGLE, A.	YES	WHITE BULL, F.	E.
LOPEZ, M.	YES	WHITE EAGLE, C.	YES

VOTE: YES - 10 NO - 0 NOT VOTING - 4

MOTION CARRIED. 3 - EXCUSED

#16. MOTION WAS MADE BY AVIS LITTLE EAGLE, SECONDED BY DONEL TAKES THE GUN, TO APPROVE TO ALLOCATE RANGE UNIT NO. 323 TO MICK FRANK, BY RESOLUTION.

ROLL CALL VOTE: MURPHY, C. - NOT VOTING

BAILEY, V.	YES	MCLAUGHLIN, J.	E.
BROWN OTTER, M.	N.V.	MENTZ, A.	N.V.
CADOTTE, M.	YES	TAKEN ALIVE, J.	YES
CLAYMORE, M.	E.	TAKES THE GUN, D.	N.V.
FOOL BEAR, A.	YES	TWO BEARS, S.	YES
IRON, T.	N.V.	WHITE, R.	YES
LITTLE EAGLE, A.	YES	WHITE BULL, F.	E.
LOPEZ, M.	YES	WHITE EAGLE, C.	YES

VOTE: YES - 9 NO - 0 NOT VOTING - 5

MOTION CARRIED. 3 - EXCUSED

#17. MOTION WAS MADE BY MATT LOPEZ, SECONDED BY VERNA BAILEY, TO APPROVE OF THE LOW BID OF \$32,750.00 FROM EDLING ELECTRIC - BISMARCK ND TO REMOVE AND DISPOSE OF THE FLOURESCENT LIGHT FIXTURES LOCATED AT FOUR [4] TRIBAL BUILDINGS AT FORT YATES ND, FUNDED BY PCB REMOVAL GENERAL FUND LINE-ITEM.

REGULAR TRIBAL COUNCIL MEETING  
INTER-OFFICE FOLLOW-UP

MEETING DATE: April 7, 2005

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MOTION #17 IS CONTINUED.

ROLL CALL VOTE: MURPHY, C. - NOT VOTING

BAILEY, V.	YES	MCLAUGHLIN, J.	E.
BROWN OTTER, M.	N.V.	MENTZ, A.	YES
CADOTTE, M.	YES	TAKEN ALIVE, J.	YES
CLAYMORE, M.	E.	TAKES THE GUN, D.	N.V.
FOOL BEAR, A.	YES	TWO BEARS, S.	YES
IRON, T.	N.V.	WHITE, R.	YES
LITTLE EAGLE, A.	YES	WHITE BULL, F.	E.
LOPEZ, M.	YES	WHITE EAGLE, C.	YES

VOTE: YES - 10 NO - 0 NOT VOTING - 4

MOTION CARRIED. 3 - EXCUSED

#18. MOTION WAS MADE BY ALMA MENTZ, SECONDED BY ARCHIE FOOL BEAR, TO APPROVE TO RECONSIDER MOTION #17 OF THE TRIBAL COUNCIL MEETING DATED APRIL 7, 2005.

ROLL CALL VOTE: MURPHY, C. - NOT VOTING

BAILEY, V.	NO	MCLAUGHLIN, J.	E.
BROWN OTTER, M.	N.V.	MENTZ, A.	YES
CADOTTE, M.	NO	TAKEN ALIVE, J.	YES
CLAYMORE, M.	E.	TAKES THE GUN, D.	N.V.
FOOL BEAR, A.	YES	TWO BEARS, S.	NO
IRON, T.	N.V.	WHITE, R.	YES
LITTLE EAGLE, A.	YES	WHITE BULL, F.	E.
LOPEZ, M.	N.V.	WHITE EAGLE, C.	YES

VOTE: YES - 6 NO - 3 NOT VOTING - 5

MOTION CARRIED. 3 - EXCUSED

#19. MOTION WAS MADE BY MATT LOPEZ, SECONDED BY ARCHIE FOOL BEAR, TO APPROVE TO REQUEST A LAND APPRAISAL FOR LYLE ANTELOPE FOR A POSSIBLE LAND PURCHASE.

**REGULAR TRIBAL COUNCIL MEETING**  
**INTER-OFFICE FOLLOW-UP**

**MEETING DATE: April 7, 2005**

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#25. MOTION WAS MADE BY MILTON BROWN OTTER, SECONDED BY MATT LOPEZ, TO RECONSIDER MOTION #17 OF TRIBAL COUNCIL MEETING DATED APRIL 7, 2005.

**ROLL CALL VOTE:**

**MURPHY, C. - NOT VOTING**

BAILEY, V.	NO	MCLAUGHLIN, J.	E.
BROWN OTTER, M.	NO	MENTZ, A.	NO
CADOTTE, M.	N.V.	TAKEN ALIVE, J.	NO
CLAYMORE, M.	E.	TAKES THE GUN, D.	NO
FOOL BEAR, A.	NO	TWO BEARS, S.	NO
IRON, T.	NO	WHITE, R.	NO
LITTLE EAGLE, A.	NO	WHITE BULL, F.	E.
LOPEZ, M.	N.V.	WHITE EAGLE, C.	NO

**- VOTE: YES - 0 NO - 11 NOT VOTING - 3**

**MOTION DID NOT CARRY. 3 - EXCUSED**

#26. MOTION WAS MADE BY MILTON BROWN OTTER, SECONDED BY DONEL TAKES THE GUN, TO APPROVE TO ACCEPT THE REVISION TO THE WATER CODE AND TO EXPAND THE WATER RESOURCES CONTROL BOARD MEMBERS FROM SIX [6] MONTHS TO THE END OF THE CURRENT TERM, IN ACCORDANCE WITH THE EXISTING CODE.

**ROLL CALL VOTE:**

**MURPHY, C. - NOT VOTING**

BAILEY, V.	YES	MCLAUGHLIN, J.	E.
BROWN OTTER, M.	YES	MENTZ, A.	N.V.
CADOTTE, M.	YES	TAKEN ALIVE, J.	YES
CLAYMORE, M.	E.	TAKES THE GUN, D.	YES
FOOL BEAR, A.	N.V.	TWO BEARS, S.	YES
IRON, T.	YES	WHITE, R.	YES
LITTLE EAGLE, A.	YES	WHITE BULL, F.	E.
LOPEZ, M.	YES	WHITE EAGLE, C.	YES

**VOTE: YES - 11 NO - 0 NOT VOTING - 3**

**MOTION CARRIED. 3 - EXCUSED**

## REQUEST FOR PROPOSALS

**Project:** Removal & Proper Disposal of Fluorescent Light Fixtures w/Ballasts  
That contain Polychlorinated Biphenyls (PCB's)

**By:** Standing Rock Sioux Tribe  
Tribal Administrative Service Center  
Building # 1  
Standing Rock Agency Avenue  
Fort Yates, North Dakota 58538  
Telephone: 701-854-7201  
Facsimile: 701-854-7693/7299

**Outline Of Project:**

The bid will include the removal and proper disposal of approximately 381-2 lamp fluorescent light fixtures with ballasts that are assumed to be PCB contaminated, located at five (5) tribally-owned buildings at Fort Yates, North Dakota. These ballasts shall be removed and safely disposed of at a Toxic Substance Control Act (TSCA) permitted facility or incineration facility. This PCB Removal and Disposal Project will comply with EPA TSCA (PCB) Regulations, 40 CFR 761.60 (b) (2) (ii).

An alternate bid shall include the sampling analysis to be done and that the testing methods to be conducted are standard and accepted practices throughout the environmental remediation industry for properly identifying PCB contamination. The types of sampling analysis to be done will include air tests and wall/floor sampling.

The bid will also include the replacement of the above fixtures.

The Standing Rock Sioux Tribe will require a copy of the Disposal Manifest and Certificate Of Destruction (COD) within forty-five (45) days of completion of the contract. The original copies will be forwarded to the Denver Region 8 Enforcement Office.

A 10% retainage of the total contract amount will be withheld by the Tribe until the COD is received and accepted by the Tribe

Tribal Employment Rights Office (TERO) regulations and wage rates apply.

Page Two.

Bid Time: FEBRUARY 14, 2005  
4:00 P.M. CST

Bid Date: FEBRUARY 14, 2005

Bid Place: Oahe Conference Room, 3<sup>rd</sup> floor, Tribal Administrative Service Center, Building # 1, Standing Rock Agency Avenue, Fort Yates, ND.

Submit Bids To:

ATTN: Bob Buffalo Boy, Environmental Specialist  
Tribal DER/EPA Dept.  
Tribal Administrative Service Center  
Building # 1  
Standing Rock Agency Avenue  
Fort Yates, North Dakota 58538  
Telephone: 701-854-3823  
Facsimile: 701-854-3841

Bids received after February 14, 2005, 4:00 P.M., C.S.T., will not be accepted. No facsimile's will be accepted. All interested parties are invited to attend. Bids will be opened and publicly read aloud.

It will be the interested parties responsibility to conduct their own physical site visit to confirm their bid estimates.

Completion of contract shall be two weeks from acceptance and awarding of bid.

A secured area/building shall be used for temporary storage of light fixtures and ballasts

All bidders shall be knowledgeable about PCB regulations and provide at least job clean up references, with names, addresses and phone numbers.

The owner reserves the right to waive any irregularities, to reject bids, and the right to hold all bids for a period of 30 days after the fixed date for the opening.

By Order Of: Charles W. Murphy, Chairman, Standing Rock Sioux Tribe.



STANDING ROCK SIOUX TRIBE  
LIST OF BALLASTS TESTED

<u>TRIBAL BUILDINGS:</u>	<u>NUMBER OF FIXTURES:</u>	<u>NUMBER OF BALLASTS:</u>
Kiddie College Daycare	4	SIZE 4 Finished
Log House	8	14 ABANDONED 5-03
TWEP/Tribal Health	3	5 ABANDONED 5-03
Tax Trailer	5	5 NO LONGER IN USE 9/03
JTPA	32	54 NO LONGER IN USE 5-03
Planning Office	9	18 ABANDONED 5-03
Child Welfare	12	24 NO LONGER IN USE 5-03
* Water Resources 3-24-99	(79) W L 50' X 100'	(111)
* Finance 3-25-98	53 BLDG DEMO'D 6/01	84
* WIC 3-25-98	(40) 52' L X 34' W	(78)
* Administration (Main Bldg) - 3-25-98	(110)	(165)
Food Distribution	33	33 REPLACED ABOVE 11-03
Ambulance/Traffic Safety	6 W L 50' X 100'	6
Water & Sewer Tribal	(16) 24' W X 24' L	(21)
	205	381
TOTALS:	410	632
	357	348

\* Checked + Inspected by Kim Le, EPA - DENVER Colorado

11/23/04

\* 5 Bldgs w/ 381 BALLASTS TO BE REMOVED